

Programs of All Inclusive Care for the Elderly (PACE) Application Templates

Instructions for PARTICIPANT RIGHTS Application Template

Participant Rights and Responsibilities	
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Purpose of Template

The purpose of the Participant Rights template is to guide PACE program applicants in developing documents related to Participant Rights. The template combines into one document a number of requirements from different regulatory sources related to participant rights, to ensure compliance with multiple regulations.

Description of Template

The Participant Rights template consists of a list of rights to which PACE Participants are entitled, organized in categories. The document also lists responsibilities of the PACE participant to the PACE Program.

Use of the Template

The Participant Rights template is designed to assist your organization in completing Chapter 6, Section 1 of the PACE Application, in addition to other documents which include information on Participant Rights. These other documents may include, but are not limited to, Policies and Procedures for Participant Rights and Member Enrollment Agreement Terms and Conditions. While the format or layout of these documents may vary, the list of Participant Rights should remain the same.

Customizing the Template

Your organization needs to customize the Participant Rights template for your use. Insert the name of your PACE Program or organization where the **[PACE Program]** term appears.

Modifying the Template

The California Department of Health Services, Office of Long-term Care (CDHS-OLTC), and the Centers for Medicare and Medicaid Services, Regional Office (CMS-RO), have reviewed and approved the content of the Participant Rights template for use by organizations that are submitting an application to operate a PACE program.

(CDHS-OLTC), and (CMS-RO), agree to apply a “**file and use**” policy when reviewing this document as part of your PACE Application. If the applicant does not modify the template, with the exception of inserting the organization’s name and other required fields, then CDHS-OLTC and CMS-RO), will consider the applicant’s completed template as “approved.” If the applicant elects to add, delete, or modify text, then CDHS-OLTC and CMS-RO require the applicant to itemize and document all changes made to the template. If modified, the Participant Rights template and other documents (e.g. Policy and Procedure) will be subject to review by CDHS-OLTC and CMS-RO to ensure compliance with regulations and contractual requirements.

Regulatory References

The Participant Rights template complies with the following regulations and contractual requirements:

- Code of Federal Register Volume 64, No. 226, 42CFR Part 460; §460.110-112
- California Department of Health Services Medi-Cal Managed Care Contract (2005), Exhibit A, Attachment 13.1, Member Rights and Responsibilities
- Title 22 California Code of Regulations, Division 3, Chapter 10, (Adult Day Health Centers), Article 4, §78437
- Title 22, California Code of Regulations, Division 3, Chapter 6, (Home Health Agency), Article 4, § 74743

For Further Assistance

For questions or further instructions regarding the Participant Rights application template, please contact the CDHS–OLTC at 916 440-7535.